

REMARKS/ARGUMENTS

The Examiner has delineated the following inventions as being patentably distinct.

Group I: Claims 1-4, drawn to an agent or food comprising a hydrolysate of a water-soluble dietary fiber.

Group II: Claim 7, drawn to a method for improving allergic predisposition.

Group III: Claim 8, drawn to a method for suppressing production of IgE antibody.

In response to the Restriction Requirement mailed December 4, 2007, Applicants elect without traverse the invention of Group I, Claims 1-4.

Further, Applicants reserve the right to file divisional applications on the non-elected subject matter, if so desired, and be accorded the benefit of the filing date of the parent application. Divisional applications filed thereafter should not be subject to double-patenting ground of rejection. 35 U.S.C. §121, In re Joyce, (Commr. Pat. 1957) 115 USPQ 412.

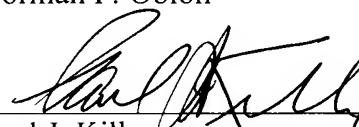
Applicants submit that the above-identified application is now in condition for examination on the merits, and an early notice of such action is earnestly solicited.

Respectfully submitted,

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Paul J. Killos
Registration No. 58,014